

10/551295

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: YOUNG, Robert Allan

Application No./Patent No.: 60/457,786 Filed/Issue Date: 03/26/03

Entitled: LOCKING BONE PLATE

SWISS ORTHOPEDIC SOLUTIONS SA a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

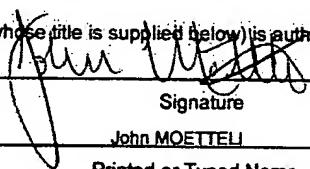
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
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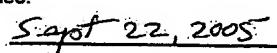
Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
John MOETTELI  
\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
011 4171 230 1000  
\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Patent attorney at law  
\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/ .IB2004/000911... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

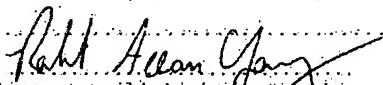
Name: Robert Allan YOUNG

Residence: Downingtown, PA, USA

(city and either US state, if applicable, or country)

Mailing Address: 18 Heron Hill Drive, Downingtown, PA 19335, USA

Citizenship: US

Inventor's Signature: 

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 4/12/04

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

Residence: (city and either US state, if applicable, or country)

Mailing Address:

Citizenship:

Inventor's Signature: (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

POWER OF ATTORNEY / POUVOIR / VOLLMACHT

For drawings, designs, trademarks, and patents/  
Pour dessins, modèles, marques, et brevets/  
für Muster, Modelle, Warenzeichen, und Patente/

The undersigned/les sousignés/Die Unterzeichneten:

(1) SWISS ORTHOPEDIC SOLUTIONS SA, of Morat, Switzerland and/or  
(2) Robert Allan YOUNG, of Downington, USA,

hereby appoints/donnent par la présente, Moetteli & Associés SàRL  
mandat à/erteilen hiermit Vollmacht John Moetteli Reg. No. 35,289  
Sherman Pernia, Reg. No. 34,404

To represent them with respect to/pour les représenter pour/zur Vertretung bezüglich:

US and PCT patent applications in which I am named inventor/demandes de brevets d'invention américaines et PCT pour lesquelles je suis nommé inventeur/Americanische und PCT Patentanmeldungen für denen ich als Erfinder genannt bin

The above Attorneys are authorized to take any steps necessary for obtaining and maintaining the protection requested and to intervene as in their capacity of duly appointed Attorneys after filing of an application. In particular they are authorized to act before the competent authorities and to substitute all or part of the present power. If necessary the Attorneys are authorized to withdraw the applications and the registrations. Unless this Power is formally cancelled the mandate will not be terminated by any of the grounds provided for in Section 405 of the Civil law. In case of any dispute or litigation arising from the present power, the parties declare that they expressly accept the competence of the Courts of Geneva and the application of the Swiss Law.

Les mandataires susnommés sont autorisés à remplir toutes les formalités nécessaires pour l'obtention et le maintien de la protection sollicitée et à agir en qualité de mandataires après le dépôt d'une demande. En particulier, ils sont autorisés à traiter avec les autorités compétentes et à nommer un sous-mandataire pour tout ou pour une partie du présent pouvoir. Les mandataires sont en outre autorisés à retirer les demandes déposées ou les droits de protection correspondants obtenus. A moins de révocation expresse, ce mandat ne s'éteindra pas pour l'une des causes prévues à l'art. 405 du Code des Obligations. Pour tous différends ou litiges qui résulteraient du présent mandat, les parties déclarent accepter expressément la compétence des Tribunaux genevois et l'application du droit suisse.

Die obengenannten Bevollmächtigten sind befugt, alle notwendigen Handlungen für den Erwerb und die Aufrechterhaltung der nachgesuchten Schutzens vorzunehmen und als bevollmächtigte Vertreter nach der Eintragung der Schutzrechte zu handeln. Insbesondere sind sie ermächtigt, in diesen Angelegenheiten vor den zuständigen Behörden tätig zu sein und für den ganzen Umfang dieser Vollmacht oder für einen Teil derselben einen Stellvertreter zu benennen. Sie sind auch ermächtigt, die eingereichten Anmeldungen und die erteilten Schutzrechte zurückzuziehen. Ohne ausdrücklichen Widerruf erlischt diese Vollmacht in den in Art 405 OR aufgeführten Fällen nicht. Im Falle von Unstimmigkeiten oder Streitfällen, die aus vorliegender Vertretung entstehen, erklären sich die Parteien ausdrücklich mit der Zuständigkeit der Genfer Gerichte und der Anwendung Schweizer Rechts einverstanden

Signature of the applicants

Place and date Morat - 4/30/04  
SWISS ORTHOPEDIC SOLUTIONS SA

Signature des titulaires

Lieu et date 4/12/04  
Robert Allan YOUNG

No legalization required

Légalisation non exigée

Keine Beglaubigung erforderlich

# PCT

## POWER OF ATTORNEY

(for an international application filed under the Patent Cooperation Treaty)

(PCT Rule 90.4)

The undersigned applicant(s) (Names should be indicated as they appear in the request):

SWISS ORTHOPEDIC SOLUTIONS SA  
Rathausgasse 4,  
CH - 3280 Morat and/or

Robert Allan YOUNG  
18 Heron Hill Drive, Downingtown,  
PA 19335, USA

hereby appoints (appoint) the following person as:  agent  common representative

Name and address

(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

MOETTELI, John  
PERNIA, Sherman  
MOETTELI & Associés SaRL  
Case Postale 486  
Ave. de Frontenex 6  
CH-1211 Geneva 12  
SWITZERLAND

to represent the undersigned before

all the competent International Authorities  
 the International Searching Authority only  
 the International Preliminary Examining Authority only

in connection with the international application identified below:

Title of the invention: LOCKING BONE PLATE

Applicant's or agent's file reference: PWO-S002-001

International application number (if already available):

filed with the following Office IB as receiving Office  
and to make or receive payments on behalf of the undersigned.

Signature of the applicant(s) (where there are several applicants, each of them must sign; next to each signature, indicate the name of the person signing and the capacity in which the person signs; if such capacity is not obvious from reading the request or this power):

Name:

Title:

For: SWISS ORTHOPEDIC SOLUTIONS SA

Robert Allan YOUNG

Date: 4/12/04